

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

_____)	
THE ESTATE OF YARON UNGAR, et al.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 00-105L (RRL)
)	
THE PALESTINIAN AUTHORITY, et al.,)	
)	
Defendants.)	
_____)	

**DEFENDANTS' OBJECTIONS TO THE RECOMMENDATIONS OF
MAGISTRATE JUDGE MARTIN AND MOTION FOR APPROPRIATE RELIEF
CONSISTENT WITH THE MANDATE OF THE FIRST CIRCUIT**

Defendants, the Palestinian Authority and the Palestine Liberation Organization, object to, and move this Court for appropriate relief from, Magistrate Judge David Martin's May 12, 2010 "Memorandum and Order" in the above-captioned matter.

For the reasons set forth in the accompanying Memorandum of Points and Authorities, this Court should deem the Magistrate Judge's "Memorandum and Order" a "Report and Recommendation" pursuant to 28 U.S.C. § 636(b)(3) that is not a final order unless and until this Court adopts it following de novo review.

The Defendants' objections to the Magistrate Judge's report and recommendation are submitted to this Court pursuant to Local Rule of Civil Procedure 72(d). In the event this Court construes the Magistrate Judge's May 12, 2010 document as an order or ruling rather than a report and recommendation, Defendants appeal that order and submit the following memorandum pursuant to Local Rule of Civil Procedure 72(c).

This Court should summarily reject the Magistrate Judge's report and recommendations because Magistrate Judge Martin erred when he concluded that Federal Rule of Civil Procedure 69(a) and Rhode Island General Law § 9-28-3 authorized the issuance of the payment decree. If it does not, however, the Court should stay review and consideration of the Magistrate Judge's report and recommendations until it resolves Defendants' pending Motion to Vacate Default Judgment (Dkt. No. 408) consistent with the order of the United States Court of Appeals for the First Circuit in *Ungar v. Palestine Liberation Organization*, 599 F.3d 79 (1st Cir. 2010).

Respectfully submitted,

Dated: May 28, 2010

/s/ Richard A. Hibey
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